

IN RE: PETITION FOR VARIANCE
W/S Beaver Dam Road, 182' +/-
N of centerline Beaver Court
8th Election District
3rd Councilmanic District
10606 Beaver Dam Road

Frederick & Patricia A. Matusky
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-441-SPHX
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for special hearing and variance request filed by the legal owners of the subject property, Frederick & Patricia Matusky. The Petitioners are requesting relief for property they own at 10606 Beaver Dam Road, which property is zoned ML-IM. A special hearing request is to amend my Order issued in Case No. 99-334-XA, based upon the proposed changes to the property. In addition to the special hearing request, variance relief is being sought from Sections 255.2 and 238.1 of the Baltimore County Zoning Regulations, to permit a front yard setback of 0 ft. in lieu of the minimum required 25 ft. for a proposed office building addition. In addition, a front yard setback of 22 ft. and a side yard setback of 2 ft. in lieu of the required 25 ft. and 30 ft. respectively for a proposed storage building is also being requested. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioners' Exhibit 1.

Appearing at the hearing on behalf of the request were: Frederick Matusky, property owner; Douglas Kennedy, professional engineer; Wes Burton, architect; and Ed Covahey, attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this request, is located at the northwest corner of the intersection of Beaver Dam Road and Warren Road in the

ORDER RECEIVED FOR FILING
Date 6/30/99
By J. R. Gammon

Cockeysville area of Baltimore County. The subject property consists of 0.803 acres, more or less, zoned ML-IM. The subject property is currently improved with a one and one-half story brick and block office/warehouse building, wherein the Petitioner, Mr. Matusky, houses his business. Mr. Matusky is proposing to construct a 7,155 sq. ft., two-story office addition to the front of the existing building, as shown on Petitioner's Exhibit No. 5, the site plan of the property. In addition to the two-story office addition, the Petitioner also proposes to construct a 1,235 sq. ft. storage building on the rear corner of the property. In order to proceed with this plan, a special hearing request is necessary to amend the previously approved site plan in Case No. 99-334-XA, and the variance relief previously stated is also necessary.

During the presentation of testimony and evidence, Mr. Douglas Kennedy addressed the concerns raised by Mr. Joe Merry, the zoning technician who reviewed the Petitioner's application. Mr. Merry had 5 handwritten concerns that were contained within the file. Mr. Kennedy met specifically with Rahi Famili of Permits & Development Management relating to the parking and traffic flow of the subject property. Mr. Famili was satisfied with the design and layout of the parking spaces and traffic flow of the subject property.

After considering the testimony and evidence offered by at the hearing, I am satisfied that the variance to construct the two-story office addition, as well as the storage building should be granted. Furthermore, the special hearing relief should be approved to allow this modification to the previously approved site plan.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

ORDER RECEIVED FROM THE
6/30/99
R. J. J. J.

- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.


Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variance requested should be granted.

THEREFORE, IT IS ORDERED this 30th day of June, 1999, by this Deputy Zoning Commissioner, that the Petitioner's special hearing request to amend the previously approved site plan in Case No. 99-334-XA be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the variance relief to allow a front yard setback of 0 ft. in lieu of the minimum required 25 ft. for a proposed office building addition and a front yard setback of 22 ft. and a side yard setback of 2 ft. in lieu of the minimum required 25 ft. and 30 ft. respectively for a proposed storage building, be and is hereby APPROVED, in accordance with Petitioners' Exhibit No. 1, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

ORDER RECEIVED FOR FILING
Date 6/30/99
By J.P. Anderson

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at his time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

DATE 6/30/99
BY M. Jameson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 2, 1999

Edward C. Covahey, Jr., Esquire
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Variance
Case No. 99-441-SPHA
Property: 10606 Beaver Dam Road

Dear Mr. Covahey:

Enclosed please find the decision rendered in the above-captioned case. The Request for Special Hearing and Petition for Variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Frederick L. Matusky

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10606 BEAVER DAM ROAD

which is presently zoned ML-1M

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Amendment to the Order of the Deputy Zoning Commissioner issued in Special Exception and Variance Case No. 99-334-XA on April 16, 1999 based upon changes to the site layout as shown on this "Plan to accompany Petitions....."

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Edward C. Covahey, Jr.

Name - Type or Print

Signature

Covahey & Boozer, P.A.

Company

6N Bosley Avenue

410-828-9441

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Frederick L. Matusky

Name - Type or Print

Signature

Patricia A. Matusky

Name - Type or Print

Signature

10604 Beaver Dam Road

410-527-0060

Address

Telephone No.

Hunt Valley, Maryland

21030

City

State

Zip Code

Representative to be Contacted:

Frederick L. Matusky

Name

10604 Beaver Dam Road

410-527-0060

Address

Telephone No.

Hunt Valley, Maryland

21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JUM

Date 5.6.99

Case No. 99-441SPHX

REC 9/15/98



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 10606 Beaver Dam Road

which is presently zoned ML-1M

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 255.2 and 238.1 of the Baltimore County Zoning Regulations

1. FRONT YARD SETBACK OF 0 FT. IN LIEU OF MIN. REQR. 25 FT.
FOR PROPOSED OFFICE BLDG. ADDITION.

2. FRONT YARD SETBACK OF 22 FT. IN LIEU OF MIN. REQR. 25 FT. FOR
PROPOSED STORAGE BUILDING.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

3. SIDE YARD SETBACK OF 2 FT. IN LIEU OF MIN. REQR. 30 FT.
SEE ATTACHED
FOR PROPOSED STORAGE BUILDING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Edward C. Govahey, Jr.

Name - Type or Print

Signature

Govahey & Boozer, P.A.

Company

614 Bosley Avenue

410-828-9441

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

Legal Owner(s):

Frederick L. Matusky

Name - Type or Print

Signature

Patricia A. Matusky

Name - Type or Print

Signature

10604 Beaver Dam Road

410-527-0060

Address

Telephone No.

Hunt Valley, Maryland

21030

City

State

Zip Code

Representative to be Contacted:

Frederick L. Matusky

Name

10604 Beaver Dam Road

410-527-0060

Address

Telephone No.

Hunt Valley, Maryland

21030

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By _____ Date _____

Case No. _____

REV 9/15/98

ATTACHMENT TO PETITION FOR VARIANCE

Re: 10606 Beaver Dam Road

1. The widening of Beaver Dam Road created a practical difficulty and unreasonable hardship in that approximately 17 feet of the front property line was acquired by Baltimore County, leaving a front yard of 13 feet.

2. The property is a unique property in that it is triangular in shape and is immediately adjacent to the Maryland Transportation Authority light rail right of way and light rail tracks.

3. The Mass Transit Administration is in the process of negotiating with the Petitioner to acquire a site clearance easement for the Maryland State Highway Administration, all as is detailed on the plat accompanying the Petition.

4. The configuration of the tract creates a practical difficulty and unreasonable hardship in that the Petitioner is unable to expand his existing business uses other than by utilizing the front portion of the property, which will preserve the existing parking and preserve the site clearances as required by Mass Transit Administration and the State Highway Administration.

5. The storage building to the rear of the property is immediately adjacent to the Mass Transit Administration light rail property, and further, a 2 foot side yard setback was granted in Zoning Case No. 89-314-A.



ZONING DESCRIPTION

FREDERICK L. MATUSKY

PATRICIA A. MATUSKY

10604 Beaver Dam road

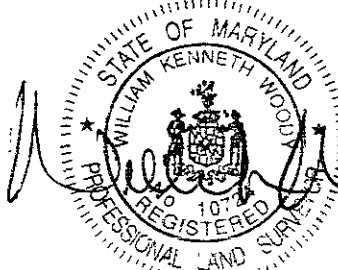
8TH Election District

BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the westernmost side of Beaver Dam Road, said Point of Beginning being situate 182 feet, more or less, north of the intersection of the centerline of Beaver Court and Beaver Dam Road, and running thence the eight following courses and distances:

1. By a curve to the right having a radius of 2,823.79 feet, an arc length of 13.58 feet; a chord bearing South 36 degrees 00 minutes 04 seconds East 13.58 feet to a point.
2. South 04 degrees 09 minutes 01seconds East a distance of 5.81 feet to a point.
3. South 34 degrees 49 minutes 30 seconds East a distance of 97.56 feet to a point.
4. North 55 degrees 15 minutes 53 seconds East a distance of 2.96 feet to a point.
5. By a curve to the right having a radius of 2,823.79 feet, an arc length of 100.85 feet; a chord bearing South 32 degrees 45 minutes 33 seconds East 100.84 feet to a point.
6. South 01 degrees 19 minutes 42 seconds West a distance of 22.47 feet to a point.
7. North 84 degrees 49 minutes 07 seconds West a distance of 352.46 feet to a point.
8. North 53 degrees 28 minutes 51 seconds East a distance of 286.72 feet to the Point of Beginning.

CONTAINING 34932.3053 square feet or 0.803 acres more or less.



4/6/99

99.441.SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 067378

DATE 5-6-99 ACCOUNT 2001 61520

AMOUNT \$ 500.00

RECEIVED FROM: F. MATHIAS

(020) UNL

FOR: (040) SP HRA.

PAID RECEIPT

PROCESS ACTION TIME
5/07/1999 5/06/1999 14:43:14
REF 0801 CASHIER JRIC JMC BRUNER
Dept 5 528 ZONING VERIFICATION
Receipt # 100858
TR NO. 067378

Receipt Tot 500.00
500.00 CR
BALTIMORE COUNTY, Maryland

60.441.SPHA

CASHIER'S VALIDATION

Jan

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6-10, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-441-SPHA

10606 Beaver Dam Road

W/S Beaver Dam Road, 182' +/- N of centerline Beaver Ct.

8th Election District - 3rd Councilmanic District

Legal Owner(s): Patricia A. & Frederick L. Mazusky

Special Hearing: to approve an amendment to case number 99-334-XA.

Variance: to permit a front yard setback of zero feet in lieu of the minimum required 25 feet for a proposed office building addition; to permit a front yard setback of 22 feet in lieu of the minimum required 25 feet for a proposed storage building; and to permit a side yard setback of 2 feet in lieu of the minimum required 30 feet for a proposed storage building.

Hearing: Friday, June 25, 1999 at 11:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

6/12/99 June 10

C317822

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6-10, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

(X)

RE Case No 99-441-SPHA

Petitioner/Developer MATUSKY, ETAL

% ED COVANEY, ESQ

Date of Hearing Closing 6/25/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Powson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #10606 BEAVERDAM RD.

The sign(s) were posted on

6/8/99

(Month, Day, Year)

Sincerely,

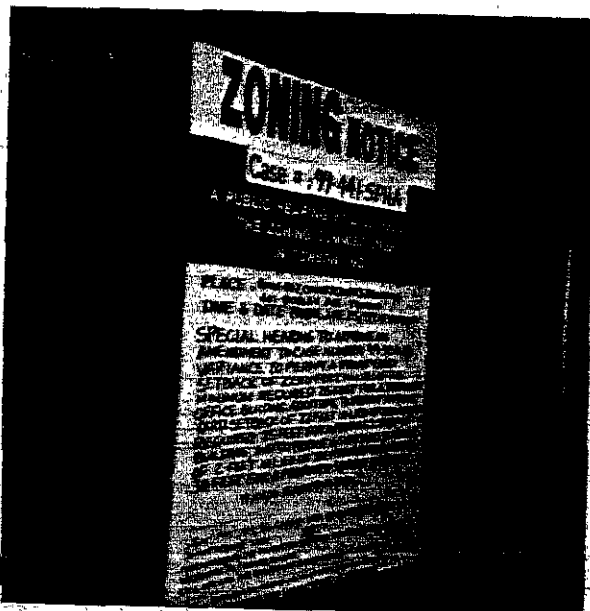
Patrick M. O'Keefe 6/14/99
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
(Telephone Number)



CHB 99-441-SPHA

#10606 BEAVERDAM RD.

MATUSKY

6/25/99



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

May 27, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-441-SPHA
10606 Beaver Dam Road
W/S Beaver Dam Road, 182' +/- N of centerline Beaver Court
8th Election District – 3rd Councilmanic District
Legal Owner: Patricia A. & Frederick L. Matusky

Special Hearing to approve an amendment to case number 99-334-XA. Variance to permit a front yard setback of zero feet in lieu of the minimum required 25 feet for a proposed office building addition; to permit a front yard setback of 22 feet in lieu of the minimum required 25 feet for a proposed storage building; and to permit a side yard setback of 2 feet in lieu of the minimum required 30 feet for a proposed storage building.

HEARING: Friday, June 25, 1999 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Arnold Jablon
Director

c: Edward C. Covahey, Jr., Esquire
Patricia & Frederick Matusky

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JUNE 10, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
June 10, 1999 Issue – Jeffersonian

Please forward billing to:

Frederick L. Matusky
20800 Keeney Mill Road
Freeland, MD 21053

410-527-0060

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-441-SPHA

10606 Beaver Dam Road

W/S Beaver Dam Road, 182' +/- N of centerline Beaver Court

8th Election District – 3rd Councilmanic District

Legal Owner: Patricia A. & Frederick L. Matusky

Special Hearing to approve an amendment to case number 99-334-XA. Variance to permit a front yard setback of zero feet in lieu of the minimum required 25 feet for a proposed office building addition; to permit a front yard setback of 22 feet in lieu of the minimum required 25 feet for a proposed storage building; and to permit a side yard setback of 2 feet in lieu of the minimum required 30 feet for a proposed storage building.

HEARING: Friday, June 25, 1999 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 441

Petitioner: FREDERICK L. & PATRICIA A. MATUSKY

Address or Location: 10604-DG BEAVER DAM RD.
HUNT VALLEY, MD. 21030

PLEASE FORWARD ADVERTISING BILL TO:

Name: FREDERICK L. MATUSKY

Address: 20800 KEENEY MILL RD.
FREELAND, MD. 21053

Telephone Number: 410-527-0060

Revised 2/20/98 - SCJ

99.441.SPHA

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
10606 Beaver Dam Road, W/S Beaver Dam Rd,
182' +/- N of c/1 Beaver Ct
8th Election District, 3rd Councilmanic

Legal Owner: Frederick L. and Patricia A. Matusky
Petitioner(s)

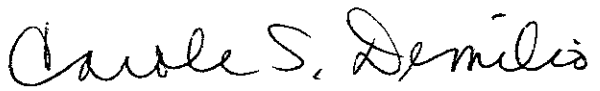
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case No. 99-441-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1999 a copy of the foregoing Entry of Appearance was mailed to Edward C. Covahey, Esq., 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 18, 1999

Edward C. Covahey, Jr., Esq.
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Case No.: 99-441-SPHA
Petitioner: Matusky
Location: 10606 Beaver Dam Road

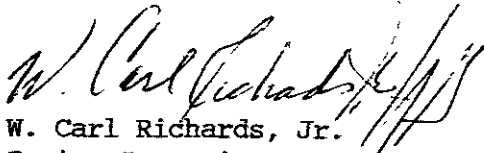
Dear Mr. Covahey:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 6, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: May 27, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

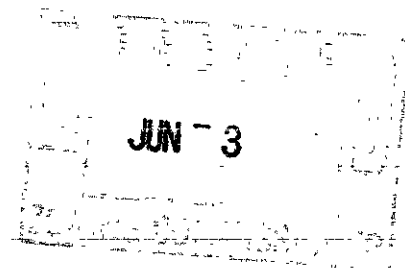
The Office of Planning has no comment on the following petition (s):
Item No (s): 441, 449 and 453

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



*sem
6/25*

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: June 1, 1999
Department of Permits & Development
Management

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 1, 1999
Item No. 441

The Bureau of Development Plans Review has reviewed the subject zoning item. If the variance is granted, the Developer must have a Professional Engineer verify the dead load surcharge on the public retaining wall.

The proposed building addition shall not interfere with adequate line of sight.

RWB:HJO:jrb

cc: File

ZAC06019.441



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5.21.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

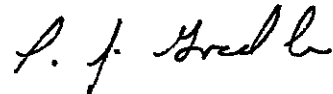
RE: Baltimore County
Item No. 441 JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for 
Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

5-6-99

NOTE TO HEARING OFFICER:

1. TURNING RADIUS FOR 3 SPACES AT STORAGE BUILDING. APPEARS TIGHT. SUGGESTED REVIEW BY RAHI FAMILY PRIOR TO HEARING.

2. ONE-WAY ONLY TRAVEL LANES SHOULD BE SIGNED. TRAFFIC FLOW CONCERNS WITH TRAVEL WAYS THAT DO NOT MEET 22ft. MINIMUM WIDTH FOR TWO-WAY FLOW.

* 3. USE OF THE STORAGE BUILDING DOOR REQUIRES THE PARKING SPACES IN FRONT OF THE DOOR TO BE EMPTY, FOR ACCESS.
(409.11) (409.12)

4. SPACES ALONG THE NW. SIDE OF BLDG. MUST BACK DIRECTLY INTO TRAVEL-WAY. (409.4)

5. IF THIS SITE IS ~~OR~~ CONVERTED INTO A MORE CUSTOMER-INTENSIVE USE, PARKING FACILITY MAY NOT BE DEFICIENT (AS TO DESIGN, ~~SA~~ EFFICIENT CIRCULATION, SAFETY)

00111-2644

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

JUNE 25, 1999

10604-10606 BEAVER DAM ROAD

NAME

ADDRESS

DOUGLAS L. KENNEDY

FREDERICK L. MATUSKY

WESLEY D. BURTON AIA
JEN COLLEGE / -

3104 TIMANUS LANE, BALTO, MD 21244

20800 KEENEY MILL RD. 21053
MD.

3000 CHESTNUT AVE SUITE 101 21211
G14 BOSTON ALI: TCHSCH



STATEMENT OF AFFIDAVIT

I Lee Gaines having reviewed the concept plans and architectural rendering of the proposed addition of MICO (Matusky Investments Company) and representing F+L Company at 10614 Beaver Dam Road, do hereby state my support for the variances required and the addition to 10604-06 Beaver Dam Rd. This addition will greatly enhance the esthetics of the south entrance to the Hunt Valley Business Park.

Lee Gaines
President
F+L Co. Inc
Property owner

STATE OF MARYLAND, CITY/COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY that on this 9th day of June, 1999, before me, a notary public in and for the state and county aforesaid, personally appeared Lee Gaines Jr, who made oath in due form of law that the matters and facts herein contained are true and correct to the best of his knowledge, information and belief.

My commission expires:

07/17/01

Eileen A. Baw
Notary Public

Pet 1

Pet 2

STATEMENT OF AFFIDAVIT

I Thomas M. Scanlan, Jr. having reviewed the concept plans and architectural rendering of the proposed addition of MICO (Matusky Investments Company) and representing Ward Realty Corporation at 10615 Beaver Dam Road, do hereby state my support for the variances required and the addition to 10604-06 Beaver Dam Rd. This addition will greatly enhance the esthetics of the south entrance to the Hunt Valley Business Park.

Thomas M. Scanlan, Jr.
Property owner Thomas M. Scanlan, Jr.
Vice-President

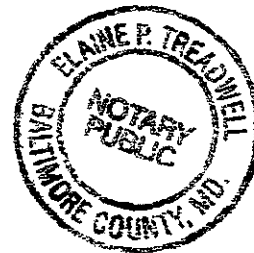
STATE OF MARYLAND, CITY/COUNTY OF Baltimore, to wit:
I HEREBY CERTIFY that on this 9 day of June, 1999, before me, a notary public in and for the state and county aforesaid, personally appeared Thomas M. Scanlan, Jr., who made oath in due form of law that the matters and facts herein contained are true and correct to the best of his knowledge, information and belief.

My commission expires:

9-1-02

Elaine P. Treadwell

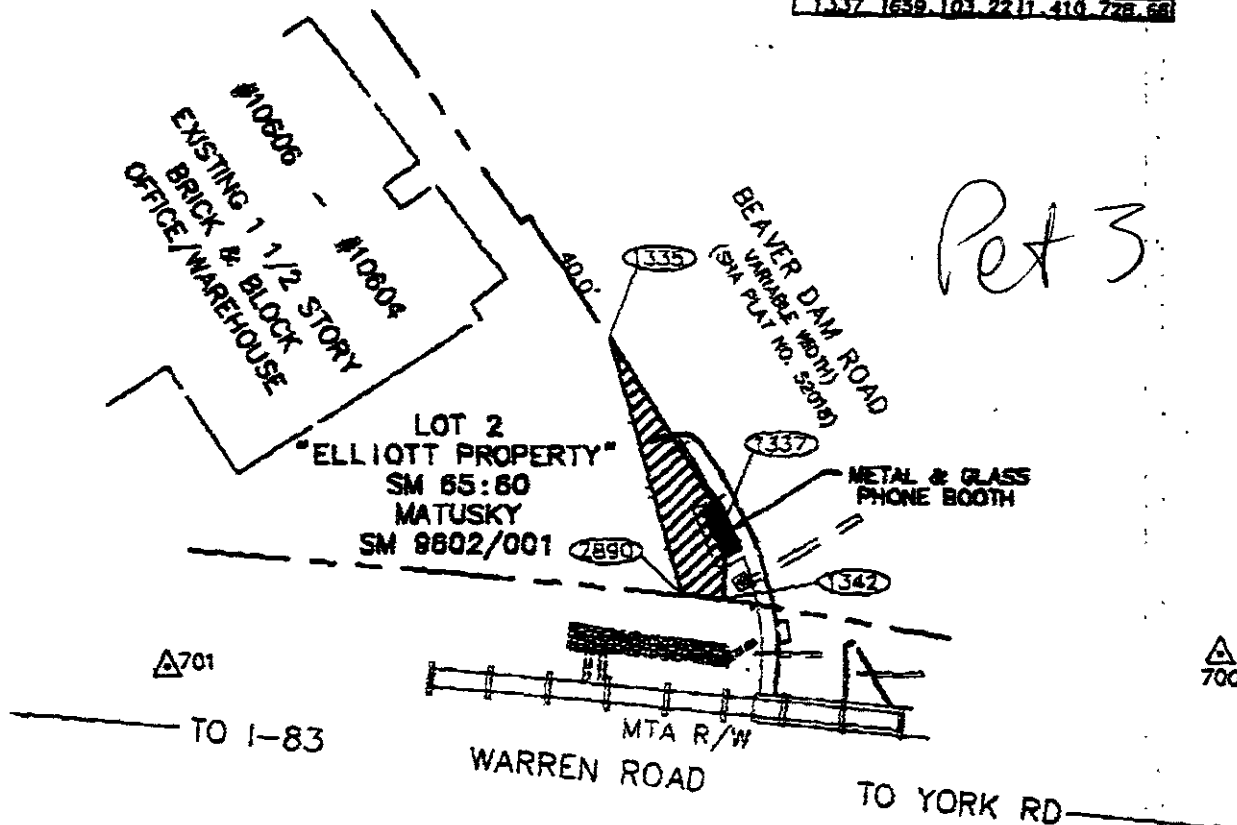
Notary Public



NOTES

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.
2. THIS PROPERTY SURVEY WAS PERFORMED BY WHITNEY, BAILEY, COX & MAGNANI, LLP.
3. THE TOPOGRAPHIC INFORMATION SHOWN HEREON WAS FIELD LOCATED BY WHITNEY, BAILEY, COX & MAGNANI, LLP. ON OCTOBER 7th, 1997 AND REFLECTS FIELD CONDITIONS AS OF THAT DATE.
4. COORDINATES AND BEARINGS ARE BASED ON "MARYLAND STATE COORDINATE SYSTEM" AS DEFINED BY 1983 NORTH AMERICAN DATUM.
5. WBCM TRAVERSE STATIONS :
700 N 659.067.34 E 1,410.866.87 REBAR & CAP
701 N 659.080.78 E 1,410.574.07 REBAR & CAP

FREDERICK L. & PATRICIA A. MATUSKY SM 9602/001 PARCEL NO. 1			
1342	N 85°00'15" W	11.48'	
2890	N 15°58'42" W	75.68'	
R=2823.78' L=60.74'			
1335	C/O S32°32'17"E	60.85'	
1337	S 01°08'31" W	22.47'	
PERPETUAL SIGHT CLEARANCE EASEMENT AREA= 782 SQ. FT. or 0.018 ACRES= SHOWN THUS			
POINT NOS.	COORDINATES		
	NORTH	EAST	
1342	659.080.751	410.728.71	
2890	659.081.751	410.715.77	
1335	659.154.311	410.625.93	
1337	659.103.221	410.728.68	

**LEGEND**PERPETUAL SIGHT
CLEARANCE EASEMENT

LINE OF DIVISION



GRAPHIC SCALE



FREDERICK L. &
PATRICIA A. MATUSKY

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
MASS TRANSIT ADMINISTRATION

CENTRAL LIGHT RAIL LINE

TAX MAP 51, GRID 3, PARCEL 14

LOCATED IN BALTIMORE
COUNTY, MARYLAND

DATE: 01/28/99

SCALE: 1" = 50'



WHITNEY
BAILEY
COX &
MAGNANI, LLP

CONSULTING ENGINEERS
849 FARMBOUNT AVE.
BALTIMORE, MD 21206
(410) 512-4500

DESIGNED BY: P. PROBST

DRAWN BY: J. FELDMAN

CHECKED BY: T. ORISICH

M/V-40



Pet Ex 4

2034 GREENSPRING DRIVE • TIMONIUM, MARYLAND 21093

NORTHERN DISTRIBUTION DEPARTMENT

April 18, 1994

APR 20

Flo-Tron Contrg. Inc.
10604 Beaver Dam Rd.
Cockeysville, MD 21030

Attn.: Mr. Fred Matusky

Dear Mr. Matusky:

This will confirm the intentions of this company to relocate existing overhead lines for the planned expansion of your building at 10604-10606 Beaver Dam Rd. as shown on preliminary plans supplied to us. The lines will be relocated at our expense and will comply with all applicable safety and clearance requirements; provided a right-of-way is granted for existing overhead lines that will not interfere with the proposed expansion.

Please forward final plans to BGE when they are approved.

Very truly yours,

Dennis Pickett

Dennis Pickett
Assistant Distribution Designer
New Business Engineering & Design

DP/dp

CC: K.M. Kerzel



SITE

QUARRY

SCALE

1" = 200' ±

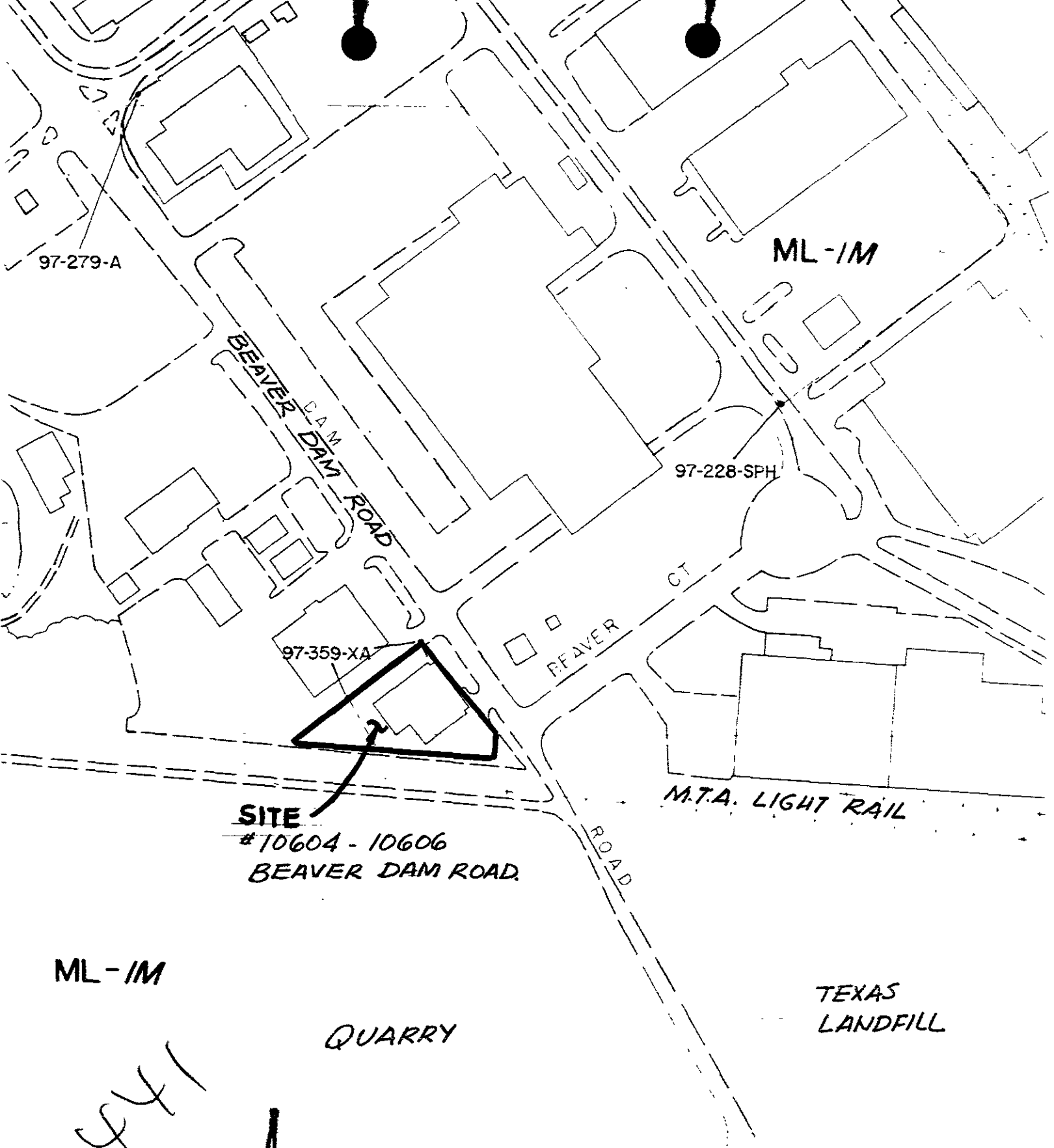
LOCATION

SHEET

441
DATE
OF
PHOTOGRAPHY
JANUARY
1986

COCKEYSVILLE
99.441-SPHA

N.W.
17-B



SITE
#10604 - 10606
BEAVER DAM ROAD.

ML-1M

ML-1M

M.T.A. LIGHT RAIL

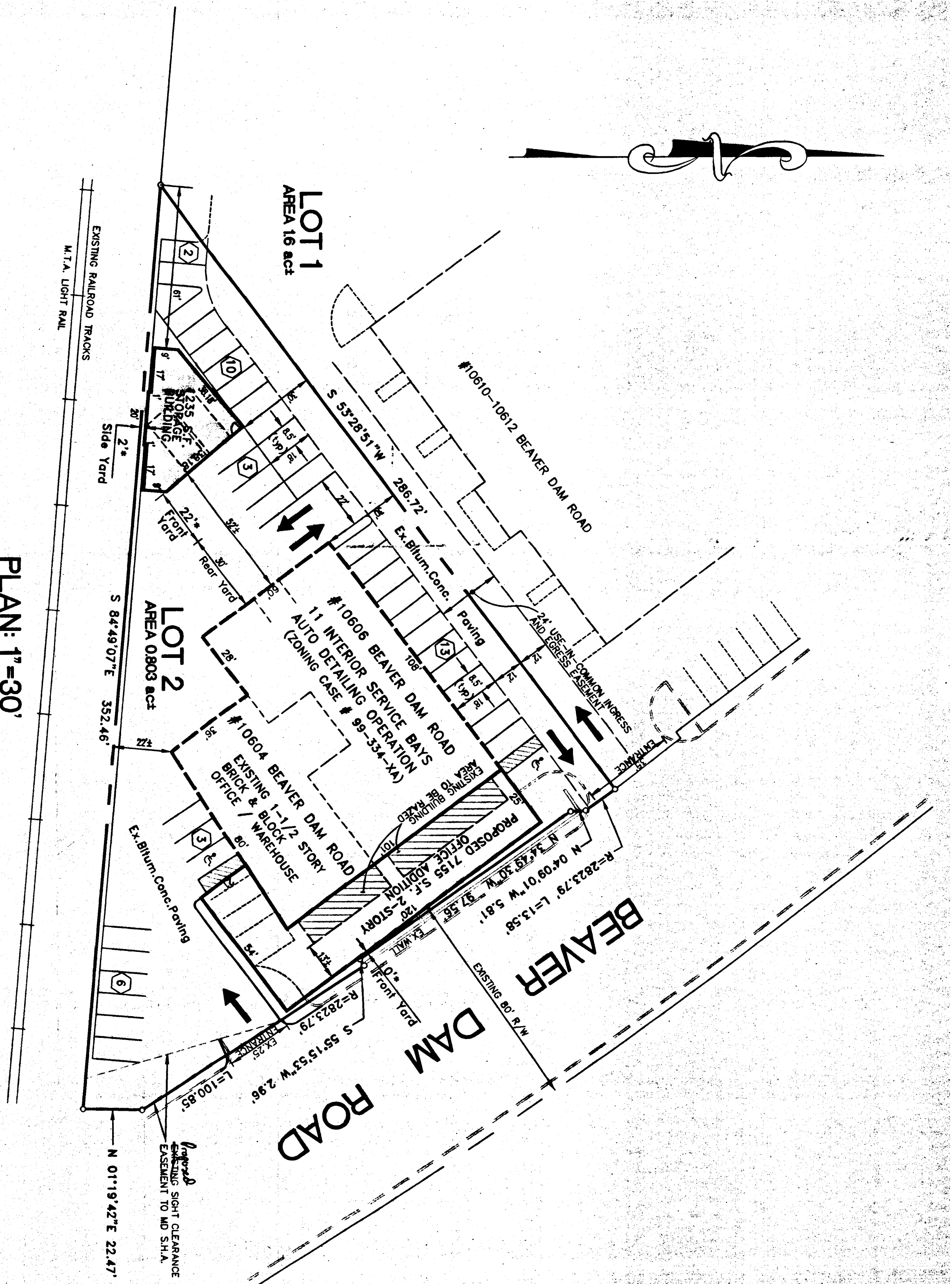
QUARRY

TEXAS
LANDFILL

441



SCALE	LOCATION	SHEET
1" = 200' ±		
DATE OF PHOTOGRAPHY	COCKEYSVILLE	N.W
JANUARY 1986	99.441-SPHA	17-B



PLAN: 1"=30'

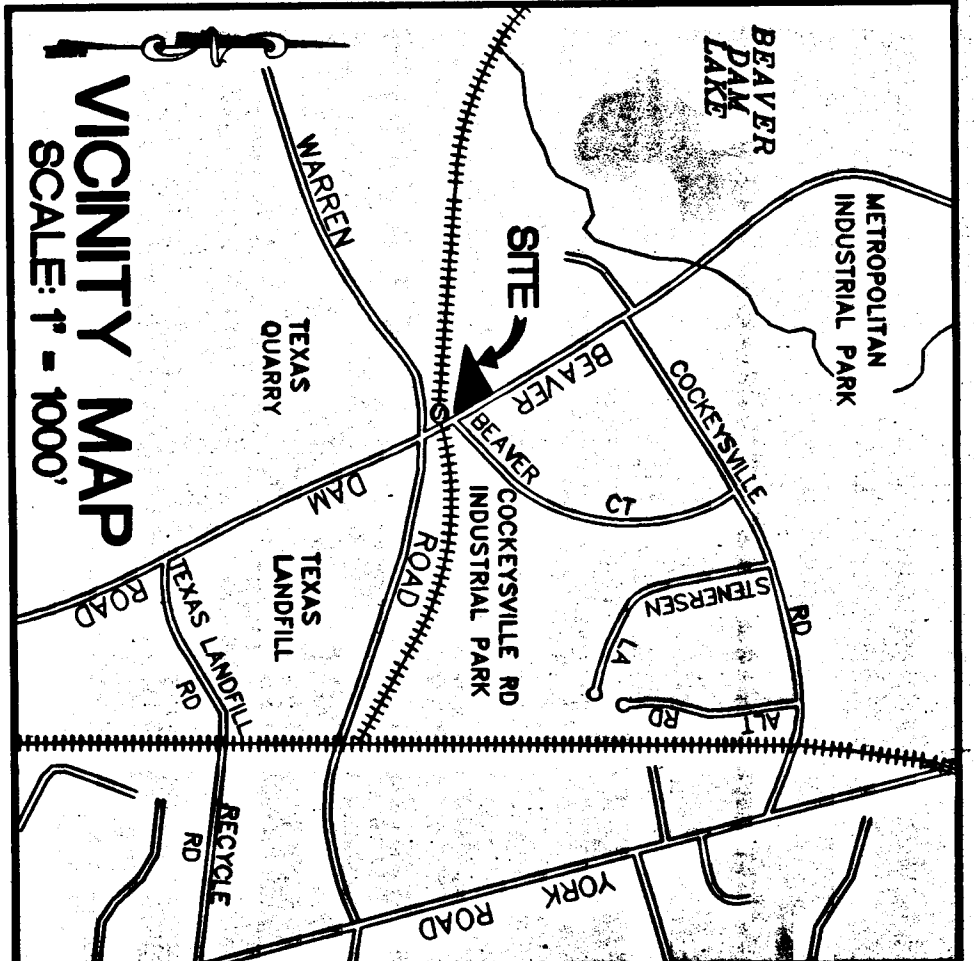
ZONING VARIANCES REQUESTED

FROM BCZR SECTIONS 255.1 AND 238.1 TO ALLOW:

1. FRONT YARD SETBACK OF 0 FT. IN LIEU OF MINIMUM REQUIRED 25 FT. FOR PROPOSED OFFICE BUILDING ADDITION.
2. FRONT YARD SETBACK OF 22 FT. IN LIEU OF MINIMUM REQUIRED 25 FT. FOR PROPOSED STORAGE BUILDING.
3. SIDE YARD SETBACK OF 2 FT. IN LIEU OF MINIMUM REQUIRED 30 FT. FOR PROPOSED STORAGE BUILDING.

SPECIAL HEARING REQUESTED

THE OWNERS PETITION FOR A SPECIAL HEARING UNDER BCZR SECTION 300.7 TO DETERMINE WHETHER OR NOT THE ZONING COMMISSIONER SHOULD AMEND THE ORDER OF THE DEFERRED ZONING COMMISSIONER ISSUED IN SPECIAL EXCEPTION AND VARIANCE CASE NO. 89-334-XA ON APRIL 16, 1999 BASED UPON CHANGES TO THE SITE LAYOUT AS SHOWN ON THIS PLAN TO ACCOMPANY PETITIONS . . .



GENERAL NOTES

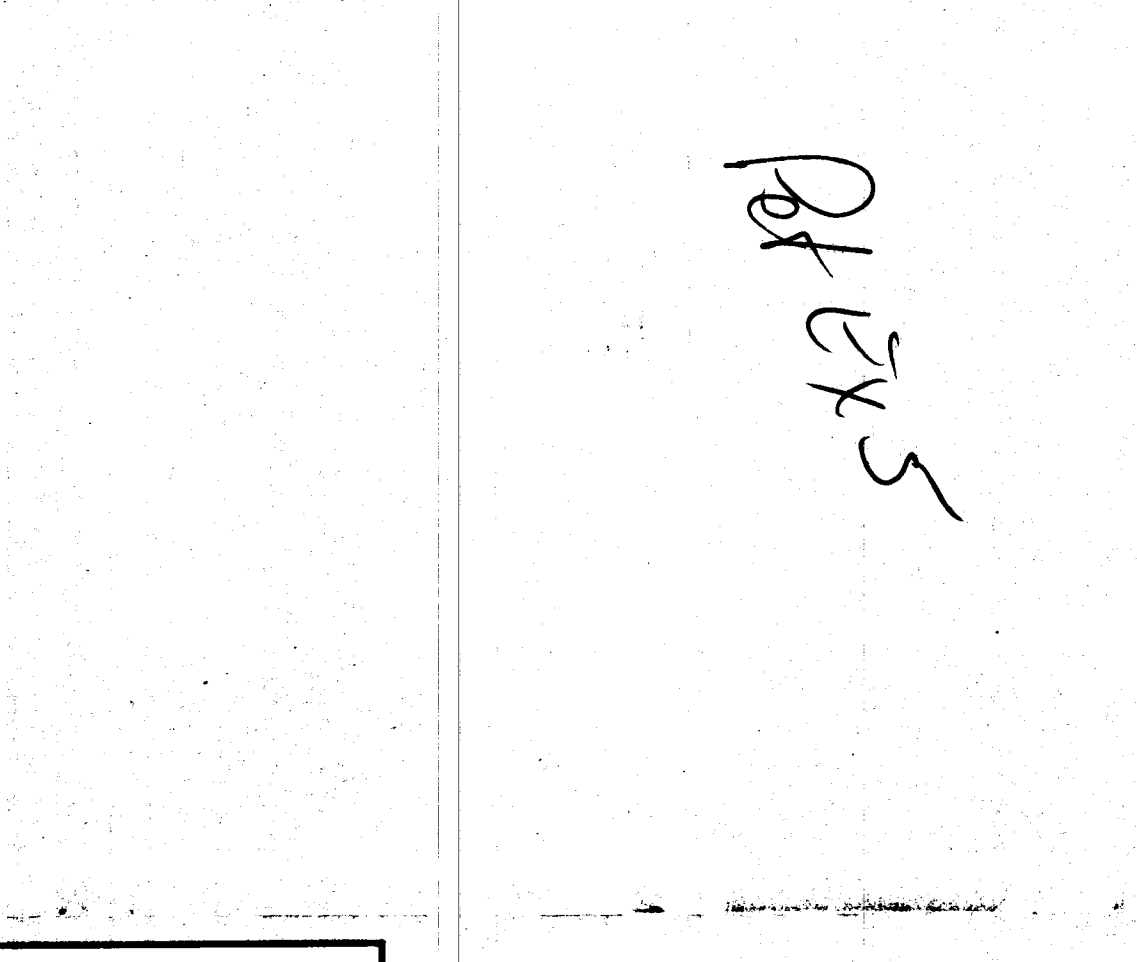
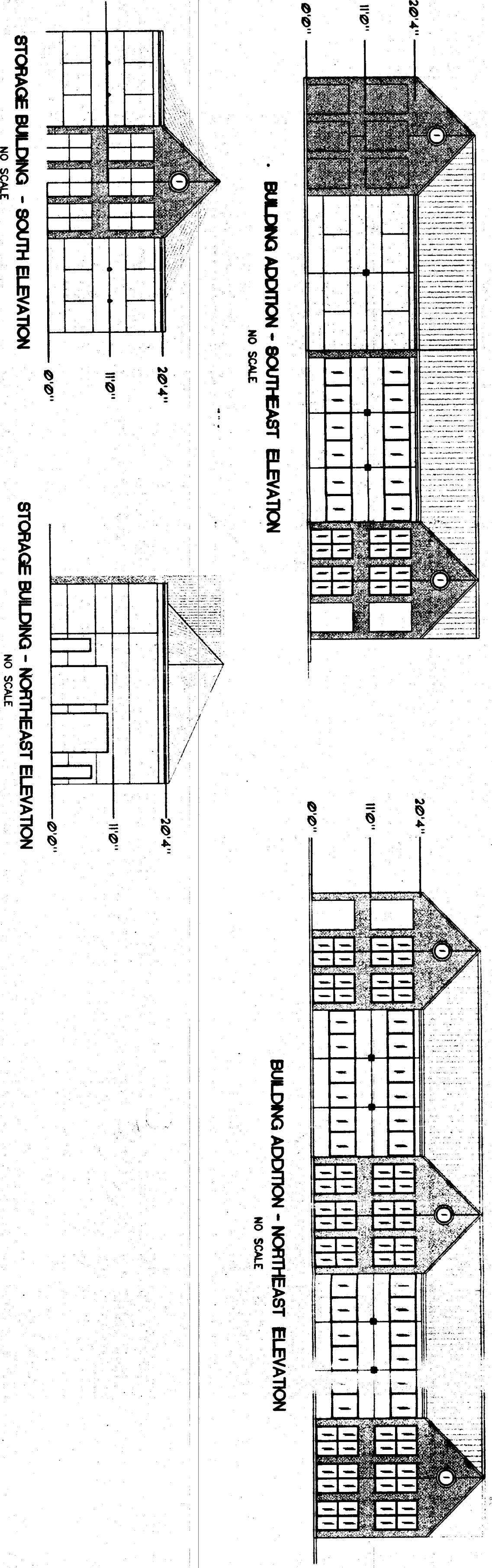
1. OWNER / APPLICANT: Frederick L. & Patricia A. Matuskis, P.O. Box 130, Hunt Valley, MD 21030
2. LOCATION: #10604-#10606 BEAVER DAM ROAD LOT 2 of "ELLIOTT PROPERTY" PLAT REFERENCE: 65/50
3. DEED: Liber 9602 folio 001 AREA 0.803 AC±
4. ELECTION DISTRICT: 08 CONGRESSIONAL DISTRICT: 3
5. ACCOUNT NO.: 2200016094
6. ZONING: ML-M
7. LAND USE: Commercial - Office / Warehouse Building
8. BUILDING AREA: Existing Office = 2,000 s.f.± Existing Warehouse = 6,530 s.f.± Existing Office to be demolished = 900 s.f.± New Office Addition = 7,150 s.f.± New Warehouse Addition = 6,880 s.f.± Auto Detailing Operation = 6,880 s.f.± Total Building Area = 16,785/34,625 = 0.48 < 0.6 allowed. Floor area ratio = 16,785/34,625 = 0.48 < 0.6 allowed.
9. PARKING: Required - Office 7155 s.f. / 1000 s.f. x 3.3 spaces = 2381 p.s. Required - Warehouse 1 space per employee = 2 x 1 = 2.00 p.s. Required - Auto Detailing Operation 6580 s.f. x 3.3/1000 = 42.04 p.s. Total Required = 2381 + 2 + 42.04 = 2425 p.s. i Parking provided: 11 cars + 35 regular + 2 handicapped = 48 p.s.
10. BUILDING SETBACKS: Required Prop. Office 22 ft.± Required Prop. Storage 30 ft.±
11. ZONING CASE HISTORY: Variance to permit side and rear yard setbacks of 2' each in lieu of the required 30 feet for a proposed addition. Granted April 7, 1989. (This addition has not been constructed as of this date).
12. LIMITED EXEMPTION: DRC File No. 921632, A Limited Exemption from the Division 2 Development Regulations (Section 26-171(A)(5)) was granted on June 15, 1992.
13. WAIVER OF CRG: A waiver of CRG (W-87-99) was granted in conjunction with Variance Case No. 89-314-A.
14. UTILITIES: Public water and sewer are existing in Beaver Dam Road.

PLAN TO ACCOMPANY PETITIONS FOR ZONING VARIANCES AND SPECIAL HEARING

BUILDING ADDITIONS TO 10604 - 10606 BEAVER DAM ROAD

8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

99-441-SPHA



KCW ENGINEERING TECHNOLOGIES

KCW Engineering Technologies, Inc.
3104 Timanus Lane, Suite 101
Baltimore, MD 21244
(410) 281-0033
Fax (410) 281-1085
www.kcw-et.com

Burton Associates Architects, Inc.

3000 Chestnut Avenue Suite 101
Baltimore, Maryland 21211 410.889.1172
FAX 410.366.1601

REVISIONS		KCW J.O.	99210
DATE	DESCRIPTION	SCALE: 1" = 30'	
		DATE: APRIL 12, 1999	
		DESIGNED: RD / DLK	
		DRAWN: Codd	
		CHECKED: DLK	
		DRAWING NO.: C-100	
5-6-99	SUBMIT PETITIONS TO OFFICE OF ZONING.		